45-DAY INITIAL STATEMENT OF REASONS FOR PROPOSED BUILDING STANDARDS BY THE

CALIFORNIA DEPARTMENT OF FORESTRY (CDF) & FIRE PROTECTION OFFICE OF THE STATE FIRE MARSHAL (SFM)

REGARDING THE PROPSED AMENDMENTS TO THE CALIFORNIA BUILDING CODE (CBC) & THE CALIFORNIA FIRE CODE (CFC)
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PARTS 2 & 9

ON THE SUBJECT OF BUILDING MATERIALS, SYSTEMS AND OR ASSEMBLIES USED IN THE EXTERIOR DESIGN AND CONSTRUCTION OF NEW BUILDINGS LOCATED WITHIN WILDLAND-URBAN INTERFACE FIRE AREAS

The Administrative Procedure Act (APA) requires that an Initial Statement of Reasons be available to the public upon request when a rulemaking action is being undertaken. The APA requires the following information as it pertains to this particular rulemaking:

STATEMENT OF SPECIFIC PURPOSE AND RATIONALE

Assembly Bill 1216 was approved by the Governor on October 8, 2003 and filed with the Secretary of State on October 9, 2003. This act adds Section 51189 to the Government Code and amends Section 1308.5 of the Health and Safety Code relating to building construction in Wildland-Urban Interface Fire Areas.

The specific purpose of this rulemaking effort by the SFM is to act in accordance with the Legislature's intent to allow regulations to be adopted that provide structural improvements that foster fire safety and prevention of fires spreading from adjacent structures or vegetation and;

Requires the SFM to propose regulations for roofs, exterior walls, structure projections including porches, decks, balconies and eaves, and structure openings including attics and eave vents in windows of buildings and:

 Provides that regulations that are adopted shall be applicable to buildings located in urban wildland interface communities, as defined.

STATEMENT OF SPECIFIC PURPOSE OF EACH AMENDMENT AND RATIONALE AS DETERMINED BY THE STATE FIRE MARSHAL

The specific purpose for the following proposed amendments is to establish a systematic approach to reducing the losses in a conflagration and for the protection of life and property in any Wildland-Urban Interface Fire Area.

These actions described below for the 2001 California Building and Fire Codes are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum standards for the design, materials and construction methods for new roofs, roof coverings, roof assemblies, attic, eave and cornice vents in any Wildland-Urban Interface Fire Area to resist the intrusion of flame or burning embers projected by a vegetation fire. Pursuant to Health and Safety Code section 13143, 13108.5 (a) and 18949.2 (b) (c) and Government Code (GC) Section 51189.

2001 CALIFORNIA BUIDING CODE

Chapter 1 – Administrative Section 101- TITLE, PURPOSE AND SCOPE Section 101.17.14 SFM-Office of the State Fire Marshal -_Chapter 1 – Administrative, Section 101 Title, Purpose and Scope, Section 101.14.17 SFM. The SFM is adding Wildland-Urban Interface Fire Area and the applicable statues to the listing of SFM regulated occupancies.

By this amendment a code user and the enforcing agency will be able to determine that the SFM has the statutory authority over building standards relating to regulations for the exterior design and construction of new roofs, roof coverings, roof assemblies, attic, eave and cornice vents in any Wildland-Urban Interface Fire Area.

Chapter 7 - Fire- Resistant Materials and Construction – The SFM is amending this existing Chapter by adding language at the beginning of the chapter to let the code user know that there is a special chapter, Chapter 7A that specifically addresses new construction in any Wildland-Urban Interface Fire Area.

By this amendment a code user and the enforcing agency will be directed to Chapter 7A. This Chapter notifies the code user that on or after December 1, 2005, regulations for the exterior design and construction of new roofs, roof coverings, roof assemblies, attic, eave and cornice vents in any Wildland-Urban Interface Fire Area shall be enforced.

Chapter 7A – Materials and Construction for Exterior Wildfire Exposure, Section 701A.1 Scope. Within Chapter 7A, the SFM is proposing a new section that specifically addresses the minimum standards for building materials, systems and or assemblies used in the exterior design of new buildings located in a Wildland-Urban Interface Fire Area.

By this amendment a code user and the enforcing agency will be directed to Chapter 7A. By this amendment a code user and the enforcing agency will learn that the regulations for the exterior

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design and construction of new roofs, roof coverings, roof assemblies, attic, eave and cornice vents in any Wildland-Urban Interface Fire Area shall be enforced.

> Section 701A.2 Purpose. Within Chapter 7A, the SFM is proposing a new section that specifically addresses the minimum standards for the protection of life and property.

By this amendment a code user and the enforcing agency will learn that the regulations for the exterior design and construction of new roofs, roof coverings, roof assemblies, attic, eave and cornice vents in any Wildland-Urban Interface Fire Area shall resist the intrusion of flame or burning embers projected by a vegetation fire.

Section 701A.3 Application. Within Chapter 7A, the SFM is proposing a new section that specifically addresses new roofs and attic ventilation constructed in any Wildland-Urban Interface Fire Area.

By this amendment a code user and the enforcing agency will learn that the regulations for the exterior design and construction of new roofs, roof coverings, roof assemblies, attic, eave and cornice vents in any Wildland-Urban Interface Fire Area shall be enforced on or after December 1, 2005.

➤ Section 701A.3.1 Alternates for materials, design, tests, and methods of construction. Within Chapter 7A, the SFM is proposing a new section that provides that the enforcing agency may modify the provisions of the Chapter for site-specific conditions. When the agency grants such modifications a fire protection plan shall be submitted.

By this amendment a code user and the enforcing agency will learn that on or after December 1, 2005, there are minimum building standards regarding the exterior design and construction of new roofs, roof coverings, roof assemblies, attic, eave and cornice vents in any Wildland-Urban Interface Fire Area shall be enforced.

> Section 702A, Definitions. Within Chapter 7A, the SFM is proposing a definitions section for commonly used terms relating to the Wildland-Urban Interface Fire Areas.

By this amendment a code user and the enforcing agency will learn that the proposed definitions are common terms used to describe aspects of the Wildland-Urban Interface Fire Areas. These definitions provide cross references to other code provisions and the enabling statutes from which they may have been derived from. These proposed definitions will help the code user to understand the intent of the regulations.

Section 703A – Standards of Quality [RESERVED]. This section number is reserved for future use in Phase II of the regulatory development of requirements for Standards of Quality for

Wildland-Urban Interface Fire Areas. This section number is being shown for clarity purposes to show the reader the future intent of Chapter 7A.

By this amendment a code user and the enforcing agency will learn that in the future, Phase II regulations will address the matters of Standards of Quality which will identify the adopted referenced standards for the exterior design, materials and construction methods of new buildings in Wildland-Urban Interface Fire Areas.

➤ Section 704A.1 Roofing, Section 704A.1.1 General. Within Chapter 7A, the SFM is proposing a section that identifies the requirements for new roofing in Wildland-Urban Interface Fire Areas.

By this amendment a code user and the enforcing agency will learn that the design, materials and construction methods of new roof coverings and roofing assemblies in any Wildland-Urban Interface Fire Area shall be in accordance with the manufacture's installation instructions and shall also comply with Chapters 7A and 15.

> Section 704A.1.2 Roof Coverings. Within Chapter 7A, the SFM is proposing a section that identifies the requirements for new roof coverings Wildland-Urban Interface Fire Areas.

By this amendment a code user and the enforcing agency will learn that the design, materials and construction methods for new roof coverings require that the spaces between the roof and covering and the roof decking shall prevent the intrusion of flames and burning embers and shall be fire-stopped in Wildland-Urban Interface Fire Areas.

> Section 704A.1.3 Roof Valleys. Within Chapter 7A, the SFM is proposing a section that identifies the requirements for roof valleys on a new roof in Wildland-Urban Interface Fire Areas.

By this amendment a code user and the enforcing agency will learn that the design, materials and construction methods of roof valleys require flashings of not less than 0.016 inch; No. 28 gauge galvanized sheet metal installed over a minimum 36 inches wide underlayment of No. 72 cap sheet that runs the full length of the roof valley in Wildland-Urban Interface Fire Areas.

> Section 704A.1.4 Roof Gutters. Within Chapter 7A, the SFM is proposing a section that identifies the requirements for roof gutters in Wildland-Urban Interface Fire Areas.

By this amendment a code user and the enforcing agency will learn that the design, materials and construction methods of construction and the placement of roof gutters shall prevent the accumulation of leaves and debris in the gutter in Wildland-Urban Interface Fire Areas.

Section 704A.2, Attic Ventilation, Section 704A.2.1 General. Within Chapter 7A, the SFM is proposing a section that addresses the requirements for attic vents in Wildland-Urban Interface Fire Areas.

By this amendment a code user and the enforcing agency will learn that the design, materials and construction methods of roof and attic vents shall be constructed in a manner that resists the intrusion of flame and burning embers into the attic area, or shall be protected by corrosion resistant, non-combustible wire mesh with ¼ inch (6 mm) openings or an equivalent in Wildland-Urban Interface Fire Areas.

➤ Section 704A.2.2 Eave and Cornice Vents. Within Chapter 7A, the SFM is proposing a section that addresses the requirements for eave and cornice vents in Wildland-Urban Interface Fire Areas.

By this amendment a code user and the enforcing agency will learn that when used, the design, materials and construction methods of eave and cornice vents are to resist the intrusion of flame and burning embers into the attic area of the structure in Wildland-Urban Interface Fire Areas.

➤ Section 704A.3 Exterior Walls [RESERVED]. This section number is reserved for future use in Phase II for the regulatory development of requirements for exterior wall design and construction in Wildland-Urban Interface Fire Areas. This section number is being shown for clarity purposes to show the reader the future intent of Chapter 7A.

By this amendment a code user and the enforcing agency will learn that in the future, Phase II regulations will address the design, materials and construction methods of exterior walls in Wildland-Urban Interface Fire Areas.

> Section 704A.4 Decking, Floors and Underfloor Protection [RESERVED]. This section number is reserved for future use in Phase II for the regulatory development regarding the protection requirements for decking, floors and underfloor construction in Wildland-Urban Interface Fire Areas. This section number is being shown for clarity purposes to show the reader the future intent of Chapter 7A.

By this amendment a code user and the enforcing agency will learn that in the future, Phase II regulations will address the design, materials and construction methods for protection of decking, floors and underfloor construction systems in Wildland-Urban Interface Fire Areas.

> Section 705A Ancillary Buildings and Structures [RESERVED]. This section number is reserved for future use in Phase II of the regulatory development of requirements for the exterior design and construction of ancillary buildings and structures in Wildland-Urban Interface Fire Areas. This section number is being shown for clarity purposes to show the reader the future intent of Chapter 7A.

By this amendment a code user and the enforcing agency will learn that in the future, Phase II regulations will address the design, materials and construction methods for ancillary buildings and structures in Wildland-Urban Interface Fire Areas. Phase II will also provide clear definitions that describe the intent of what an ancillary building is.

➤ Chapter 15 – Roofing and Roof Structures, Section 1503 – Roofing Requirements, Section 1503.4 Roofing Requirements in a Wildland-Urban Interface Fire Area. Within Chapter 15, the SFM is proposing a section that refers the code user to Chapter 7A for requirements relating to the roofing requirements in Wildland-Urban Interface Fire Areas.

By this amendment a code user and the enforcing agency will learn that there are additional regulations that must be enforced relating to the exterior design and construction of new roofs, roof coverings, roof assemblies, attic, eave and cornice vents in any Wildland-Urban Interface Fire Areas.

2001 CALIFORNIA FIRE CODE

Article 1 – Administrative
 Section 101 Title, Purpose and Scope

Section 101.14.17 SFM - The SFM is proposing to amend this section by adding the Health and Article 1 – Administrative, Section 101 Title, Purpose and Scope, Section 101.14.17 SFM. The SFM is adding Wildland-Urban Interface Fire Area and the applicable statues to the listing of SFM regulated occupancies.

By this amendment a code user and the enforcing agency will be able to determine that the SFM has the statutory authority over building standards relating to regulations for the exterior design and construction of new roofs, roof coverings, roof assemblies, attic, eave and cornice vents in any Wildland-Urban Interface Fire Area.

Article 86A - REQUIRMENTS FOR WILDLAND-URBAN INTERFACE AREAS

Article 86A – REQUIRMENTS FOR WILDLAND-URBAN INTERFACE AREAS, SECTION 8601A GENERAL, Section 8601A.1 Scope. Within the new Article 86A, the SFM is proposing a section that addresses the mitigation of conditions resulting from a wildfire.

By this amendment a code user and the enforcing agency will learn that the intent of Article 86A is mitigate the conditions of a wildfire burning in vegetative fuels that may cause buildings to catch fire and thus threaten to destroy life, overwhelm fire fighting and suppression capabilities that can result in large property losses in any Wildland-Urban Interface Fire Area.

Section 8601A.2 Purpose. Within the new Article 86A, the SFM is proposing a section that identifies the minimum standards to increase the ability of a building to resist the intrusion of flame and burning embers.

By this amendment a code user and the enforcing agency will learn that the intent of Article 86A is to identify the minimum standards to increase the ability of a building to resist the intrusion of flame and burning embers which contributes to the systematic reduction in conflagration losses in any Wildland-Urban Interface Fire Area.

Section 8602A, Definitions. Within Article 86A, the SFM is proposing a definitions section for commonly used terms relating to the Wildland-Urban Interface Fire Areas.

By this amendment a code user and the enforcing agency will learn that the proposed definitions are common terms used to describe aspects of the Wildland-Urban Interface Fire Areas. These definitions provide cross references to other code provisions and the enabling statutes from which they may have been derived from. These proposed definitions will help the code user to understand the intent of the regulations.

Section 8603A, Plans [RESERVED]. This section number is reserved for future use in Phase II for the regulatory development regarding the submittal of plans to the enforcing agency relating to the design, materials and construction methods in Wildland-Urban Interface Fire Areas. This section number is being shown for clarity purposes to show the reader the future intent of Article 86A.

By this amendment a code user and the enforcing agency will learn that in the future, Phase II regulations will address the submittal of plans to the enforcing agency that address the design, materials and construction methods for projects in Wildland-Urban Interface Fire Areas.

Section 8604A, Fire Hazard Severity Zones. Within Article 86A, the SFM is proposing a section that identifies that lands are classified by the Director of the Department of Forestry and Fire Protection based on the severity of the wildfire hazard.

By this amendment a code user and the enforcing agency will learn that the classification of lands is made in accordance with the severity of the wildfire hazard. Once this classification is established, standards practices can be identified and appropriate measures can be taken to reduce the potential for losses to life and property and natural resources in Wildland-Urban Interface Fire Areas.

Section 8604A.2, Classifications. Within Article 86A, the SFM is proposing a section that identifies that lands are classified by the Director of the Department of Forestry and Fire Protection based on the severity of the wildfire hazard.

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By this amendment a code user and the enforcing agency will learn that the classification of lands is made in accordance with the severity of the wildfire hazard for both State responsibility Lands and local agency responsible areas. Once this classification is established, standards practices can be identified and appropriate measures can be taken to reduce the potential for losses to life and property and natural resources in Wildland-Urban Interface Fire Areas.

Section 8605A. Wildland-Urban Interface Fire Area, Section 8605A.1 General. Within Article 86A, the SFM is proposing a section that identifies the construction methods and requirements to mitigate wildfire exposure within a geographical area that threatens to destroy life, overwhelm fire fighting and suppression capabilities that can result in large property losses in any Wildland-Urban Interface Fire Area.

By this amendment a code user and the enforcing agency will learn that the intent of Article 86A is to mitigate wildfire exposure within a geographical area that threatens to destroy life, overwhelm fire fighting and suppression capabilities that can result in large property losses in any Wildland-Urban Interface Fire Area.

Section 8605A.2 Construction Methods and Requirements within Established Limits. Within Article 86A, the SFM is proposing a section that identifies that the construction methods and requirements that are intended to mitigate wildfire exposure within a geographical area is to be within the limits established by law.

By this amendment a code user and the enforcing agency will learn that the intent of Article 86A is to ensure that the construction methods and requirements designed to mitigate the wildfire exposure within any Wildland-Urban Interface Fire Areas are within the limits of established law and in compliance with Articles 86A, 86B and the California Building Code, Chapter 7A.

Section 8605A.3 Establishment of Limits. Within Article 86A, the SFM is proposing a section that identifies that the construction methods and requirements to mitigate wildfire exposure within any Wildland-Urban Interface Fire Areas are to be within the limits established by law.

By this amendment a code user and the enforcing agency will learn that the intent of Article 86A is to ensure that the construction methods and requirements for any Wildland-Urban Interface Fire Areas shall be designated pursuant to the California Public resources Code for State responsibility areas or by local agency following a finding supported by substantial evidence in the record that the requirements of this Article are necessary for effective fire protection.

Section 8606A. Vegetation Management [RESERVED]. This section number is reserved for future use in Phase II of the regulatory development of requirements for the vegetation management in Wildland-Urban Interface Fire Areas. This section number is being shown for clarity purposes to show the reader the future intent of Article 86A.

By this amendment a code user and the enforcing agency will learn that in the future, Phase II regulations will address vegetation management in Wildland-Urban Interface Fire Areas. This section will identify the measures required for controlling the vegetation growth of trees, ornamental plants and ground cover, etc. to mitigate the risk to life and property from wildfire exposure in Wildland-Urban Interface Fire Areas.

Section 8607A. Defensible Space [RESERVED]. This section number is reserved for future use in Phase II of the regulatory development of requirements for defensible space in Wildland-Urban Interface Fire Areas. This section number is being shown for clarity purposes to show the reader the future intent of Article 86A.

By this amendment a code user and the enforcing agency will learn that in the future, Phase II regulations will address defensible space requirements for Wildland-Urban Interface Fire Areas. This section will identify requirements to mitigate the risk to life and property from wildfire exposure through responsible application of fuel modifications within the specific space between a structure and the Wildland-Urban Interface Fire Area.

ARTTICLE 86B- MATERIALS AND CONSTRUCTION METHODS FOR WILDFIRE EXPOSURE

Article 86B – Materials and Construction Methods for Exterior Wildfire Exposure, Section 8601B.1 Scope. Within Article 86B the SFM is proposing a new section that specifically addresses the minimum standards for building materials, systems and or assemblies used in the exterior design of new buildings located in a Wildland-Urban Interface Fire Area.

By this amendment a code user and the enforcing agency will learn that the regulations for the exterior design and construction of new roofs, roof coverings, roof assemblies, attic, eave and cornice vents in any Wildland-Urban Interface Fire Area shall be enforced.

Section 8601B.2 Purpose. Within Article 86B, the SFM is proposing a new section that specifically addresses the minimum standards for the protection of life and property.

By this amendment a code user and the enforcing agency will learn that the regulations for the exterior design and construction of new roofs, roof coverings, roof assemblies, attic, eave and cornice vents in any Wildland-Urban Interface Fire Area shall resist the intrusion of flame or burning embers projected by a vegetation fire.

Section 8601B.3 Application. Within Article 86B, the SFM is proposing a new section that specifically addresses new roofs and attic ventilation constructed in any Wildland-Urban Interface Fire Area.

By this amendment a code user and the enforcing agency will learn that the regulations for the exterior design and construction of new roofs, roof coverings, roof assemblies, attic, eave and cornice vents in any Wildland-Urban Interface Fire Area shall be enforced on or after December 1, 2005.

Section 8601B.3 Alternates for materials, design, tests, and methods of construction. Within Article 86B, the SFM is proposing a new section that provides that the enforcing agency may modify the provisions of the Chapter for site-specific conditions. When the agency grants such modifications a fire protection plan shall be submitted.

By this amendment a code user and the enforcing agency will learn that on or after December 1, 2005, there are minimum building standards regarding the exterior design and construction of new roofs, roof coverings, roof assemblies, attic, eave and cornice vents in any Wildland-Urban Interface Fire Area shall be enforced.

Section 8602B Definitions, section 8602B.1. Within Article 86B, the SFM is proposing a definitions section for commonly used terms relating to the Wildland-Urban Interface Fire Areas.

By this amendment a code user and the enforcing agency will learn that the proposed definitions are located in Article 86A. These definitions are common terms used to describe aspects of the Wildland-Urban Interface Fire Areas. These definitions provide cross references to other code provisions and the enabling statutes from which they may have been derived from. These proposed definitions will help the code user to understand the intent of the regulations.

➤ SECTION 8603B – STANDARDS OF QUALITY [RESERVED] Section number 8603B is reserved for future use in Phase II for the test standards. This section number is being shown for clarity purposes to show the reader the future intent of Article 86B.

By this amendment a code user and the enforcing agency will learn that in the future, Phase II regulations will address the standards of quality for the design, materials and construction methods for new structures in Wildland-Urban Interface Fire Areas.

Section 8604B Materials, Systems and Methods of Construction, Section 8604B.1 Roofing, Section 8604B.1.1 General. Within Article 86B, the SFM is proposing a section that identifies the requirements for new roofing in Wildland-Urban Interface Fire Areas.

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By this amendment a code user and the enforcing agency will learn that the design, materials and construction methods of new roof coverings and roofing assemblies in any Wildland-Urban Interface Fire Area shall be in accordance with the manufacture's installation instructions and shall also comply with the California Building Code, Chapter 15 and Article 86B.

Section 8604B.2 Roof Coverings. Within Article 86B, the SFM is proposing a section that identifies the requirements for new roof coverings Wildland-Urban Interface Fire Areas.

By this amendment a code user and the enforcing agency will learn that the design, materials and construction methods for new roof coverings require that the spaces between the roof and covering and the roof decking shall prevent the intrusion of flames and burning embers and shall be fire-stopped in Wildland-Urban Interface Fire Areas.

Section 8604B.3 Roof Valleys. Within Article 86B, the SFM is proposing a section that identifies the requirements for roof valleys on a new roof in Wildland-Urban Interface Fire Areas.

By this amendment a code user and the enforcing agency will learn that the design, materials and construction methods of roof valleys require flashings of not less than 0.016 inch; No. 28 gauge galvanized sheet metal installed over a minimum 36 inches wide underlayment of No. 72 cap sheet that runs the full length of the roof valley in Wildland-Urban Interface Fire Areas.

Section 8604B.1.4 Roof Gutters. Within Article 86B, the SFM is proposing a section that identifies the requirements for roof gutters in Wildland-Urban Interface Fire Areas.

By this amendment a code user and the enforcing agency will learn that the design, materials and construction methods of construction and the placement of roof gutters shall prevent the accumulation of leaves and debris in the gutter in Wildland-Urban Interface Fire Areas.

Section 8604B.2 Attic Ventilation, Section 8604B.2.1 General. Within Article 86B, the SFM is proposing a section that addresses the requirements for attic vents in Wildland-Urban Interface Fire Areas.

By this amendment a code user and the enforcing agency will learn that the design, materials and construction methods of roof and attic vents shall be constructed in a manner that resists the intrusion of flame and burning embers into the attic area, or shall be protected by corrosion resistant, non-combustible wire mesh with ¼ inch (6 mm) openings or an equivalent in Wildland-Urban Interface Fire Areas.

Section 8604B.2.2 Eave and Cornice Vents. Within Article 86B, the SFM is proposing a section that addresses the requirements for eave and cornice vents in Wildland-Urban Interface Fire Areas.

By this amendment a code user and the enforcing agency will learn that when used, the design, materials and construction methods of eave and cornice vents are to resist the intrusion of flame and burning embers into the attic area of the structure in Wildland-Urban Interface Fire Areas

Section 8604B.3 Exterior Walls. This section number is reserved for future use in Phase II for the regulatory development of requirements for exterior wall design and construction in Wildland-Urban Interface Fire Areas. This section number is being shown for clarity purposes to show the reader the future intent of Article 86B.

By this amendment a code user and the enforcing agency will learn that in the future, Phase II regulations will address the design, materials and construction methods of exterior walls in Wildland-Urban Interface Fire Areas.

Section 8604B.4 Decking, Floors and Underfloor Protection. This section number is reserved for future use in Phase II for the regulatory development regarding the protection requirements for decking, floors and underfloor construction in Wildland-Urban Interface Fire Areas. This section number is being shown for clarity purposes to show the reader the future intent of Article 86B.

By this amendment a code user and the enforcing agency will learn that in the future, Phase II regulations will address the design, materials and construction methods for protection of decking, floors and underfloor construction systems in Wildland-Urban Interface Fire Areas.

Section 8605B Ancillary Buildings and Structures. This section number is reserved for future use in Phase II of the regulatory development of requirements for the exterior design and construction of ancillary buildings and structures in Wildland-Urban Interface Fire Areas. This section number is being shown for clarity purposes to show the reader the future intent of Article 86B.

By this amendment a code user and the enforcing agency will learn that in the future, Phase II regulations will address the design, materials and construction methods for ancillary buildings and structures in Wildland-Urban Interface Fire Areas. Phase II will also provide clear definitions that describe the intent of what an ancillary building is.

TECHNICAL, THEORETICAL, AND EMPIRICAL STUDY, REPORT, OR SIMILAR DOCUMENTS (Government Code Section 11346.2(b)(2)

The SFM did not rely on any technical, theoretical, and empirical study, report in proposing the amendments to the 2001 CBC and CFC. However, the SFM used similar documents as follows:

- Assembly Bill 1216
- > The Story, California Fire Siege 2003
- Governor's Blue Ribbon Fire Commission
- Ignition Resistant Construction Recommendations, Ethan Foote
- > Reducing the Wildland Fire Threat to Homes-Where and How Much?, Jack D. Cohen
- > The Site-Specific Approach for Assessing the Fire Risk to Structures at the Wildland/Urban Interface, Jack Cohen
- > Some basic Ideas on Preventing Loss of Houses Due to Wildland Fires, Vyto Babrauskas

CONSIDERATION OF REASONABLE ALTERNATIVES

(Government Code Section 11346.2(b)(3)(A)

The SFM has determined that no alternative considered would be more effective in carrying out the purpose for which the regulations are proposed or would be as effective as and less burdensome to affected private persons than the proposed amendments to the 2001 CBC and CFC.

The SFM, through a public process conferred with a representative number of persons and industry concerns that might be affected by these regulations prior to submitting the Finding of Emergency, investigated the following alternatives during the development of the emergency regulations:

1. One-hour exterior construction;

This alternative was rejected because it did not meet the intent of the principles for ignition resistant construction and was determined to be too costly to the home builder's industry.

2. Interior and exterior sprinkler systems;

This alternative was rejected because it did not meet the intent of the principles for ignition resistant construction and was determined to be extremely cost prohibitive to the home builder's industry.

REASONABLE ALTERNATIVES THE AGENCY HAS IDENTIFIED THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS

(Government Code Section 11346.2(b)(3)(B)

No other alternatives have been identified or have otherwise been identified and brought to the attention of the SFM that would lessen any adverse impact on small business.

<u>FACTS, EVIDENCE, DOCUMENTS, TESTIMONY, OR OTHER EVIDENCE OF NO SIGNIFICANT</u> ADVERSE IMPACT ON BUSINESS

(Government Code Section 11346.2(B)(4)

The SFM has made an initial determination that this proposed action will not have a significant adverse economic impact on business. Therefore, there are no other facts, evidence, documents, testimony, or other evidence on which the SFM relies to support this rulemaking.

DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS

(Government Code Section 113465.2(b)(5)

The SFM has determined that there is no duplication or conflict with Federal regulations.

However there are federal regulations or statutes addressing the building material's ignitability, construction methods and vegetation management for Federal lands in Wildland-Urban Interface Fire Areas. Some of those Federal agencies are listed below:

Bureau of Land Management, Department of the Interior

Department of the Interior and Related Agencies Appropriations Act of 2001, Title IV, Public Law 106-291. National Fire Plan (See Attachment No. 1)

United States Department of Agriculture, Forest Service

The USDA Forest Service, Southern Center for Wildland-Urban Interface Research and Information was established in 2002 in Gainesville, FL to address issues related to human influences on forest ecosystems in the Southern United States.

One Hundred and Eighth Congress of the United States, Healthy Forest Restoration Act